

**AQUATIC RESOURCE MITIGATION FUND**  
Required Due Diligence Materials

Note: All materials listed below must be submitted for review by DES at least 4 weeks prior to fund disbursements. No funds can be disbursed without final approval by DES of all applicable materials. These materials must adhere to standards set forth in the DES Administrative Rules, Env-Wt 800.

- ☐ **Adjusted Timeline:** Detail as accurately as possible when the various documents below will be completed and submitted to DES. Also note possible closing dates, etc. (Submit to DES as soon as possible).
- ☐ **Appraisal:** Must obtain an appraisal or an updated appraisal after notification of the award and prior to the funding being provided. If an appraisal has not been completed within 120 days of the notification, the money will revert back to the ARM Fund. Appraisals are required on fee and easement acquisitions, as well as in cases where any donated interest is used to fulfill the non-cash match requirement. The appraisal shall be conducted according to Env-Wt 807.11, and conducted in accordance with the Uniform Standards of Professional Appraisal Practice established by The Appraisal Foundation.
- ☐ **Environmental Assessment:** Applicant may hire a consultant and/or follow guidelines in Rule Env-Wt 807.09.
- ☐ **Survey plan:** With metes and bounds, north and magnetic, north arrows. Property must be monumented and blazed, and survey plan recorded at appropriate Registry of Deeds Office. Two complete sets of survey plans required to be submitted to DES. The survey requirements are contained within Rule Env-Wt 807.10.
- ☐ **Baseline Documentation:** With topo maps, on-the-ground photos with photo location map, aerial photos (all with subject property outlined as appropriate), and any natural resource surveys that have been performed, all of which will establish the condition of the property at the time of disbursement of ARM funds. This should be as thorough and extensive as necessary to represent the property and will be used as a benchmark during future monitoring. Ground photographs should be from regular print film and submitted in archival-quality plastic photo sleeves. (2 complete sets of baseline documentation required). See Rule Env-Wt 807.14(c)(1).
- ☐ **Title Opinion:** A letter from a qualified attorney stating that there is clear and marketable title to the property; OR a title search by qualified attorney along with copy of the title insurance policy. The title examination shall be conducted according to the "New Hampshire Title Examination Standards" of the New Hampshire Bar Association, per Rule Env-Wt 807.12.
- ☐ **Proof of Match:** If ARM Funds will be matched by other funds, proof that the funds are in place need to be documented through pledge letters, letter from funding organization that the funds are in a dedicated account, votes from an official meeting, etc.).
- ☐ **Easement** (if applicable): With required DES language, including Executory Interest.
- ☐ **Fee Deed** (if applicable): With required DES language, including Executory Interest.

□ **Final Stewardship Plan:** Details on how the property will be managed, for what purposes, by whom and how such management will be paid for. Must include how annual monitoring will be performed, as well as when and by whom, whether dedicated stewardship funds exist, and how easement will be enforced (if applicable) and enforcement paid for if necessary. Must be consistent with *LTA Standards and Practices* and Rule Env-Wt 807.14.

□ **Updated Budget:** Showing Total Project Cost and breakdown of income and expenses.

□ **Project Agreement:** Between Project Applicant and DES, signed at closing prior to disbursement of funds. The ARM Fund Agreement documents should be reviewed by the applicant that has been awarded funding. If acceptable then the agreement form must be signed and notarized and returned to DES along with:

“Certificate of Authority”: (Provided by applicant) This document must be signed and notarized. (Note: The Certificate of Authority indicates that the person signing the Grant Agreement has authority to do so).

“Certificate of Good Standing” from the N.H. Secretary of State. Requested by DES if needed. Does not apply to municipalities or governmental subdivisions. This form indicates that a non-profit organization has filed its Articles of Agreement with the Secretary of State and that the organization has paid the \$25 fee to do so. If an organization has not registered with the Secretary of State, this process may be delayed.

Certificate of Insurance: Indicates that the Grant Recipient has the required amount of liability insurance (\$2,000,000 for bodily injury; \$500,000 property damage). The insurance requirement can be waived for projects that do not involve construction, or if construction is provided by an insured sub-contractor.